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MAIL STOP PCT

Attorney Docket: 26773U

Date: March 13, 2006

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

BUHR, et al.

Art Unit: Unknown

Examiner: Unknown

Serial No.: 10/537,693

Filed: June 6, 2005

International Application: PCT/EP03/14069

International Filing Date: December 11, 2003

Title: 4-SUBSTITUTED BENZIMIDAZOLES AND THEIR USE AS INHIBITORS
OF GASTRIC SECRETION

TRANSMITTAL LETTER

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Submitted herewith for filing in the U.S. Patent and Trademark Office is the following:

- 1) Supplemental Information Disclosure Statement;
- 2) PTO Form-1449 with 4 cited References;
- 3) Copies for 2 of the 4 cited References.

The Commissioner is hereby authorized to charge any deficiency or credit any excess to Deposit Account No. 14-0112.

Respectfully submitted,
NATH & ASSOCIATES PLLC

Gary M. Nath, Reg. No. 26,965
Sheldon M. McGee, Reg. No. 50,454
Customer No. 34375

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112 South West Street
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GMN/SMM/le

- ☐ c. The enclosed statement is being filed after the mailing date of a final action under 37 C.F.R. 1.113, or a notice of allowance under 37 C.F.R. 1.311, but before payment of the issue fee.
☐ Certification report(e) below; and
☐ a check in the amount as required by 1.17(p).
- ☐ d. The enclosed statement is being filed pursuant to 37 C.F.R. 1.97(i), for placement in the file.
- ☐ e. Certification [Check one] [Certification is required only if box (b)(i) or box (c) is checked.]
- ☐ I hereby certify that each item of information contained in the enclosed Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this statement,
or
- ☐ I hereby certify that no item of information in the enclosed Information Disclosure Statement herewith was cited in a communication from a foreign patent office in a counterpart foreign application, or, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. 1.56(c) more than three months prior to the filing of this Information Disclosure Statement.
or
- ☐ Appropriate certification is attached.
- [XXX] f. If no check is enclosed and a fee is due in connection with this communication or if the check enclosed is insufficient, the Commissioner is authorized to charge any fee or additional fee due in connection with this communication to Deposit Account No. 14-0112.

[XXX] g. Copies of the documents are attached herewith with a completed Form PTO-1449.

or

[] Copies of the documents are not attached as allowed under CFR 1.98(d)(1)(2). The earlier application is identified as:

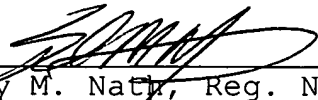
and / or

[XXX] Copies of US Patents/Publications not attached as allowed in Official Gazette Aug. 5, 2003/ Vol. 1273, no. 1.

The Examiner is respectfully requested to cite the documents listed on the attached Form PTO-1449 in the next Office Action. In so doing, the Examiner is respectfully requested to initial in the space adjacent to the listing of each document on the Form PTO-1449, and return a copy of the initialed Form PTO-1449 with the next communication to Applicants, to confirm that these documents have been considered by the Examiner and made of record in this application.

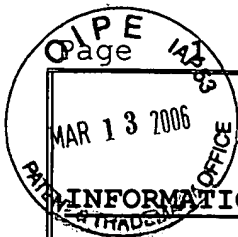
If the Examiner has any questions or wishes to discuss this application, kindly telephone the undersigned at the below-listed number.

Respectfully submitted,
NATH & ASSOCIATES PLLC



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| FORM PTO-1449 INFORMATION DISCLOSURE CITATION | In re Application of: BUHR, et al. | | Art Unit: Unknown |
| | Serial No: 10/537,693 | Filed: June 6, 2005 | Examiner: Unknown |

U.S. PATENT DOCUMENTS

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| A1 | 6,313,136 (corresponds to WO 99/55705) | 6 Nov. 2001 | Amin et al. | 23 Apr. 1999 |
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| Examiner | Date Considered |
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EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP ' 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.